

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Fomovskaia et al.

U.S.S.N.: Not yet assigned

Group Art Unit: Not yet assigned

FILED: Herewith

Examiner: Not yet assigned

FOR: FTA-COATED MEDIA FOR USE AS A MOLECULAR DIAGNOSTIC TOOL

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. **EV 342 588 872 US** in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 30, 2003.

By:   
Sharon Bizokas

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**INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION WITH FILING OF AN APPLICATION)**

Sir/Madame:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION**

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. **COPIES**

- a. \_\_\_\_ Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. X Each of the patents, publications or other information listed on the attached PTO-1449 was previously cited by or submitted to the USPTO in connection with 09/736,659, to which the subject application claims the benefit of the earlier filing date. As such, a copy of each is not included herewith pursuant to 37 C.F.R. § 1.98(d).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b.      A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows/ were previously submitted to the USPTO in the case where II.b is checked above:
- English translation (partial) for reference
- English abstract for reference
- English translation of search report/ official communication.
- Copy of PCT/EPO Search Report.
- c. X The following additional information is provided for the Examiner's consideration:
- Copy of EPO Search Report.
- X Copy of PCT Search Report.
- Copy of Official Communication from the              Patent Office.
- English translation of search report/ official communication.
- Copy of             .

**FEES**

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. X within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b.      within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c.      before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):  
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. \_\_\_\_\_ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. . § 1.17(p).  
or  
b. \_\_\_\_\_ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. \_\_\_\_\_ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or  
b. \_\_\_\_\_ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.  
c. \_\_\_\_\_ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. FEE PAYMENT (check one)

- \_\_\_\_\_ Enclosed please find a check in the amount of \$180.00 for the above-indicated fee.
- \_\_\_\_\_ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee.
- X   No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,

Date: September 30, 2003

  
Kathryn A. Piffat, Ph.D., Reg. No. 34,901  
Intellectual Property Practice Group of  
Edwards & Angell, LLP  
P.O. Box 9169  
Boston, MA 02209  
Tel: (617) 439-4444

Customer No. 21874

<b>FORM PTO-1449</b>				<b>DOCKET NO:</b> 45858/56075-PCT-CIP-C		<b>SERIAL NO.:</b> Not Yet Assigned	
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S):</b> Fomovskaia, et al.			
				<b>FILING DATE:</b> Herewith		<b>GROUP NO.:</b> Not Yet Assigned	
<b>UNITED STATES PATENT DOCUMENTS</b>							
<b>EXAM. INITIALS</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB- CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	AA	5,234,809	08/10/93	Boom, et al.	435	91	07/01/91
	AB	5,496,562	03/05/96	Burgoyne	424	488	11/30/93
	AC	5,756,126	05/26/98	Burgoyne	424	488	06/07/95
	AD	5,807,527	09/15/98	Burgoyne	422	488	09/21/95
	AE	5,234,806	8/1993	Boom et al.	435	91.2	
	AF	5,756,126	5/1998	Burgoyne			
<b>FOREIGN PATENT DOCUMENTS</b>							
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION YES/NO</b>
	BA	WO 00/04195	27/01/00	PCT	C12Q	1/70	Yes
	BB	WO 00/53807	14/09/00	PCT	C12Q	1/68	Yes
	BC	WO 00/62023	19/10/00	PCT	G01J	1/48	Yes
<b>OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)</b>							
	CA	Yang, et al., "DNA ligands that bind tightly and selectively to cellobiose," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 95, pp. 5462-5467, May 1998.					
	CB	Rogers, et al., "Reverse transcription of an RNA genome from databasing paper (FTA®)," <i>Biotechnol. Appl. Biochem.</i> (2000) Vol. 31, pp. 219-224.					
	CC	Eisenberg, et al., "High throughput automated DNA sample analysis for both RFLP and PCR using FTA® paper and the Rosys robotic microplate processor," <a href="http://www.bio.flinders.edu.au/eisenb.html">http://www.bio.flinders.edu.au/eisenb.html</a> , Date of print-out: February 24, 1999.					
	CD	Both, et al., "FTA Paper, DNA, Time and the Profiler," <a href="http://www.bio.flinders.edu.au/vidocq.html">http://www.bio.flinders.edu.au/vidocq.html</a> , Date of print-out: February 22, 1999.					
	CE	Renz, et al., "A colorimetric method for DNA hybridization," <i>Nucleic Acids Research</i> , Vol. 12, No. 8, 1984, pp. 3435-3444.					
	CF	Del Rio, et al., "Reusing the Same Blood-stained Punch for Sequential DNA Amplifications and Typing," <i>BioTechniques</i> , Vol. 20, No. 6, (1996), pp. 970-974 (pp. 971 & 973 are blank pages).					
	CG	Matsuhisa, et al., "A Simple Staining Method for DNA and RNA Blotted on a Membrane Using a Polyethyleneimine-Enzyme Conjugate," <i>J. Biochem.</i> , Vol. 116, pp. 478-481, (1994).					
	CH	Eisenberg, et al., "High throughput automated DNA sample analysis for both RFLP and PCR using FTA...", <a href="http://www.bio.flinders.edu.au/eisenb.html">http://www.bio.flinders.edu.au/eisenb.html</a> , Date of print-out: February 24, 1999					
<b>EXAMINER:</b>					<b>DATE:</b>		